

NO. 24842

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

GUNTHER HINTZ, M.D., Plaintiff-Appellant

vs.

ANDRE PETERS, in both his individual and official capacities;
HARRY KAHOANO, JR., in both his individual and official
capacities; WILLIAM W. KELLEY, in both his individual and
official capacities; HONOLULU POLICE DEPARTMENT; CITY AND COUNTY
OF HONOLULU, Defendants-Appellees

and

JOHN DOES 1-10; JANE DOES 1-10; DOE CORPORATIONS 1-10; DOE
PARTNERSHIPS 1-10; AND DOE GOVERNMENTAL AGENCIES 1-10, Defendants

APPEAL FROM THE FIRST CIRCUIT COURT
(CIV. NO. 98-5039)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that the December 18, 2001 judgment in Civil No. 98-5039-11 (DTK), the Honorable Dan T. Kochi presiding, does not satisfy the requirements of Rule 58 of the Hawai'i Rules of Civil Procedure (HRCP). "An appeal may be taken from circuit court orders resolving claims against parties only after the orders have been reduced to a judgment and the judgment has been entered in favor of and against the appropriate parties pursuant to HRCP 58[.]" Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119, 869 P.2d 1334, 1338 (1994). Furthermore, "if a judgment purports to be the final judgment in a case involving multiple claims or multiple parties, the judgment . . . must identify the claims for which it is entered[.]" Id. Although Plaintiff-Appellant Gunther Hintz, M.D.'s (Appellant Hintz), amended complaint asserts five separate counts against multiple parties, the

December 18, 2001 judgment does not identify the claims for which it is entered, nor does it expressly enter judgment on all five of Appellant Hintz's counts. Therefore, this appeal is premature and we lack appellate jurisdiction over this case.

Accordingly, IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, May 3, 2002.